

AMENDED IN ASSEMBLY APRIL 13, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1965

Introduced by Assembly Member Yamada

February 17, 2010

An act to ~~add Section 16142.4 to~~ *amend Section 51257 of the Government Code, relating to agricultural land, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1965, as amended, Yamada. Agricultural land: ~~subventions. Williamson Act: lot line adjustments: contracts.~~

The Williamson Act, until January 1, 2011, authorizes a city or county and a landowner to agree to rescind a contract or contracts and simultaneously enter into enter into a new contract or contracts to facilitate lot line adjustments. The act requires the Department of Conservation to review the contract rescission provision in its 2008 Williamson Act Status Report.

This bill would extend the repeal date of the contract rescission provision to January 1, 2013. This bill would require that an application to rescind a contract for lot line adjustments be processed to its completion if it is submitted before January 1, 2013. This bill would delete the requirement for the department to review the contract rescission provision in its 2008 report.

~~Existing law continuously appropriates to the Controller from the General Fund a sum sufficient to provide replacement revenues to local government for a reduction of property tax on open-space lands, as specified.~~

~~This bill would, for the 2008–09 fiscal year, appropriate specified amounts from the General Fund to each county in the state for open-space lands pursuant to the Williamson Act, as specified.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes~~-no. Fiscal committee: ~~yes~~ no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 51257 of the Government Code is*
2 *amended to read:*

3 51257. (a) To facilitate a lot line adjustment, pursuant to
4 subdivision (d) of Section 66412, and notwithstanding any other
5 provision of this chapter, the parties may mutually agree to rescind
6 the contract or contracts and simultaneously enter into a new
7 contract or contracts pursuant to this chapter, provided that the
8 board or council finds all of the following:

9 (1) The new contract or contracts would enforceably restrict the
10 adjusted boundaries of the parcel for an initial term for at least as
11 long as the unexpired term of the rescinded contract or contracts,
12 but for not less than 10 years.

13 (2) There is no net decrease in the amount of the acreage
14 restricted. In cases where two parcels involved in a lot line
15 adjustment are both subject to contracts rescinded pursuant to this
16 section, this finding will be satisfied if the aggregate acreage of
17 the land restricted by the new contracts is at least as great as the
18 aggregate acreage restricted by the rescinded contracts.

19 (3) At least 90 percent of the land under the former contract or
20 contracts remains under the new contract or contracts.

21 (4) After the lot line adjustment, the parcels of land subject to
22 contract will be large enough to sustain their agricultural use, as
23 defined in Section 51222.

24 (5) The lot line adjustment would not compromise the long-term
25 agricultural productivity of the parcel or other agricultural lands
26 subject to a contract or contracts.

27 (6) The lot line adjustment is not likely to result in the removal
28 of adjacent land from agricultural use.

29 (7) The lot line adjustment does not result in a greater number
30 of developable parcels than existed prior to the adjustment, or an
31 adjusted lot that is inconsistent with the general plan.

(b) Nothing in this section shall limit the authority of the board or council to enact additional conditions or restrictions on lot line adjustments.

(c) Only one new contract may be entered into pursuant to this section with respect to a given parcel, prior to January 1, 2004.

~~(d) In the year 2008, the department's Williamson Act Status Report, prepared pursuant to Section 51207, shall include a review of the performance of this section:~~

~~(e)–~~

~~(d) This section shall remain in effect only until January 1, 2011, 2013, and as of that date is repealed, unless a later enacted statute, that is enacted on or before January 1, 2011, 2013, deletes or extends that date. An application filed prior to the repeal of this section shall be processed to completion.~~

~~SECTION 1. Section 16142.4 is added to the Government Code, to read:~~

~~16142.4. For the 2008–09 fiscal year, pursuant to Section 16140, the subvention payment to counties shall be as follows:~~

~~(a) The following counties shall receive 75 percent of the actual subvention payment calculated for that county, in the following amounts:~~

Colusa.....	\$ 568,900
Glenn.....	\$ 706,730
Kings.....	\$1,804,625
Lassen.....	\$ 293,265
Mariposa.....	\$ 138,673
Modoc.....	\$ 105,071
Plumas.....	\$ 69,936
San Benito.....	\$ 517,874
Sierra.....	\$ 35,848
Siskiyou.....	\$ 519,634
Trinity.....	\$ 14,715

~~(b) The following counties shall receive 65 percent of the actual subvention payment calculated for that county, in the following amounts:~~

Amador.....	\$ 64,477
Calaveras.....	\$ 117,590

1	Fresno.....	\$3,282,985
2	Imperial.....	\$ 359,344
3	Lake.....	\$ 40,149
4	Madera.....	\$ 808,157
5	Sutter.....	\$ 135,881
6	Tehama.....	\$ 573,454
7	Tulare.....	\$2,060,381
8	Yolo.....	\$ 771,843

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11 (e) The following counties shall receive 55 percent of the actual
 12 subvention payment calculated for that county, in the following
 13 amounts:

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15	Butte.....	\$ 320,578
16	Humbolt.....	\$ 105,772
17	Kern.....	\$2,377,574
18	Mendocino.....	\$ 249,966
19	Merced.....	\$ 699,236
20	Mono.....	\$ 32,941
21	Monterey.....	\$ 477,887
22	San Joaquin.....	\$ 961,307
23	San Luis Obispo.....	\$ 544,167
24	Shasta.....	\$ 119,651
25	Solano.....	\$ 354,412
26	Stanislaus.....	\$ 796,459
27	Tuolumne.....	\$ 58,182

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29 (d) The following counties shall receive at least 20 percent of
 30 the actual subvention payment calculated for that county, in the
 31 following amounts:

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33	Alameda.....	\$ 23,002
34	Contra Costa.....	\$ 12,549
35	El Dorado.....	\$ 7,512
36	Los Angeles.....	\$ 7,209
37	Marin.....	\$ 19,829
38	Napa.....	\$ 16,239
39	Nevada.....	\$ 3,124
40	Orange.....	\$ 63

1	Placer.....	\$ 11,458
2	Riverside.....	\$ 40,037
3	Sacramento.....	\$ 92,787
4	San Bernardino.....	\$ 2,373
5	San Diego.....	\$ 14,760
6	San Mateo.....	\$ 10,424
7	Santa Barbara.....	\$ 116,941
8	Santa Clara.....	\$ 62,207
9	Santa Cruz.....	\$ 4,927
10	Sonoma.....	\$ 78,956
11	Ventura.....	\$ 58,447
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